

**\*E-FILED 4/15/2009\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

REYNA NAREZ and AURELIO L. VASQUEZ,

No. C09-00090 HRL

Plaintiffs,

v.

NDEX WEST LLC; CHASE HOME FINANCE,  
LLC; and DOES 1-50,

**ORDER DIRECTING PLAINTIFFS TO  
FILE CONSENT OR DECLINATION TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE**

Defendants.

Pending before this court is defendant Chase Home Finance, LLC's motion to dismiss the complaint. This court previously issued two clerk's notices reminding the parties that this case has been assigned to a United States magistrate judge and directing them to file either a consent or declination form. Defendant Chase Home Finance LLC has consented. Plaintiffs have not responded.<sup>1</sup>

This civil case was randomly assigned to the undersigned magistrate judge for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by the undersigned may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other

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<sup>1</sup> There has been no appearance in this matter by defendant NDEX West LLC.

1 judgment of a district court. The parties have the right to have the case assigned to a United  
2 States District Judge for trial and disposition. Accordingly,

3 IT IS ORDERED THAT plaintiffs shall file either a consent or declination to proceed  
4 before a United States magistrate judge **no later than April 24, 2009**. The consent and  
5 declination forms are available at the Clerk's Office and may also be obtained from the court's  
6 website at <http://www.cand.uscourts.gov>.

7 Dated: April 15, 2009

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10 HOWARD R. LLOYD  
11 UNITED STATES MAGISTRATE JUDGE  
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**United States District Court**

For the Northern District of California

**5:09-cv-90 Notice has been electronically mailed to:**

John M. Sorich jsorich@adorno.com

Mitchell W. Roth fedfilings@mwroth.com

Sung-Min Christopher Yoo cyoo@adorno.com, vdelgado@asands.com

**Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.**